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6/25/2012

WQC number:
889-0159-WQC-1

Public Notice

Closing Date:
7/24/2012

This letter serves as the formal notice of the receipt of an application for a Section 401 Water Quality Certification by the Kentucky Division of Mine Permits (KDMP). The purpose of this notice is to inform the public of active applications awaiting certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality as it relates to the specific project. DMP will evaluate whether the project complies with Kentucky's water quality standards.

The comment period will run for 30 days, as is indicated in the upper portion of this notice. Any person who wishes to comment or receive information pertaining to the pending WQC application, must contact the WQC coordinator at 502-564-2320, or submit comments to: Water Quality Certification #2 Hudson Hollow, Frankfort, KY 40601, within the 30 day comment period. All comments will be reviewed and water quality issues will be considered during the review process.

The public may review the detailed Compensatory Mitigation Plan at the Division of Mine Permits office at: #2 Hudson Hollow, Frankfort, KY 40601

Commonwealth of Kentucky
Department for Natural Resources
Division of Mine Permits

Application for Water Quality Certification for Surface Coal Mining Activities

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the Commonwealth which require federal permit or license are consistent with Kentucky's water quality standards in 401 KAR Chapter 5. The Energy and Environment Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at (502)-564-2320.

1. **Applicant Name:** Oxford Mining Company-Kentucky, LLC
Mailing Address: 3080 Cleaton Road
Central City, KY 42330
Contact Person: Rick Parks
Telephone No: (270) 754-2815 ext. 29
E Mail Address: RParks@oxfordresources.com
2. **Consultant Name & Address:** Wetland Services, 3880 Trigg Turner Rd.
Corydon, KY 42408

Telephone No. (270) 454-0800
E Mail Address: rl@wetlandservices.net
3. **Provide a brief description of the proposed activity and stream impact.**
Oxford is proposing to place fill material in waters of the U.S., including wetlands and streams
in order to develop a new surface coal mining operation to recover coal from the Star surface
mine reserve area. Best management practices will be used to aid in sediment control in the
permit area. All mining areas will be returned to approximate original contour. The life of the
mining operation is projected to be 1.3-years. The surface mining will include complete removal
and replacement of surface material, topography, drainage features, and other water bodies.
4. **Project Location Information:**

County Muhlenberg ; **USGS Quadrangle Name** Central City West & Millport

Nearest Community & Road Intersection: Central City & Western KY Pkwy & 181

Longitude 37.28458 **Latitude** -87.24680 (Approximate center of the project area)

5. **List the names of all streams affected by the proposed project:**
See attached.

6. For each affected watershed provide the acreage above the toe of the lowest permanent structure.

Watershed 1: 173-acres Watershed 2: 854-acres

7. For each affected stream provide the linear feet of impact, whether the impact is temporary or permanent and indicate if the stream reach is classified as ephemeral, intermittent, or perennial.

See attached.

8. Provide the acreage of wetlands that would be impacted: 4.9-acres

9. Beginning at the nearest intersection of two public roads, provide directions to the project site:

From east bound on Western KY Pkwy exit north on Hwy 181. The Wendell H Ford National Guard Training Center is approximately 1-mile on the left. The contact person is Bernie Morris 270-977-1430. Check-in is required. The project is located just inside the Cedar Grove Rd gate.

10. Has application been submitted to the U.S. Army Corps of Engineers for this project? Yes ☒ No ☐ If yes, indicate type of application:

NW 12 ☐ NW 14 ☐ NW 21 ☐ NW 27 ☐ NW 49 ☐
NW 50 ☐ Individual ☒

11. Provide the following permit numbers associated with this mining activity:
SMCRA Permit No. 889-0159, KPDES No. KY0108367

12. The following attachments must be provided:

- a. A watershed map showing all ponds and hollowfills to scale with all intermittent, and perennial stream reaches clearly identified.
- b. A 7.5 minute topographic map delineating the proposed project area.
- c. A copy of the complete Compensatory Mitigation Plan

List all other plans and profiles included with this application:

See attached.

I hereby request approval for construction across or along a stream as described in this application and supporting attachments. All of the information provided with this application is true and accurate to the best of my belief and knowledge.

Applicant's Signature:



Date: 2/27/2012

If signed by applicant's agent, attach power of attorney

SUBMIT APPLICATION AND ATTACHMENTS TO:

WQC COORDINATOR
DIVISION OF MINE PERMITS
#2 HUDSON HOLLOW
FRANKFORT, KENTUCKY 40601

Star Stream Summary Table

Streamid	Length				Sinuosity	Regime	RBW	BFW	Rifle	Run	Pool	Step	Comments
	Eph	Int	Per	Sur Con									
1NS1A4-1	213	0	0	0	1.02	E2	200	1.5	5	90	5	<input type="checkbox"/>	
1NS1A4A	655	0	0	0	1.02	E2	200	3.8	15	70	15	<input type="checkbox"/>	Due to recent fence construction upper reaches of stream have been disturbed with tree tops and root wads.
1PS1A4A1-	166	0	0	0	1.16	E2	200	5.5	30	60	10	<input type="checkbox"/>	Stream exhibits gulley like features through old pre-law coal spoil. Water is of low quality and has high iron content, evident to the orange/red stains throughout stream. Area has been clear cut.
1RS1A2-3	99	0	0	0	1.08	E2	200	2.8	0	0	0	<input checked="" type="checkbox"/>	
1XS1	476	0	0	0	1.02	E2	200	2.5	15	80	5	<input type="checkbox"/>	
1XS1A	1,384	0	0	0	1.02	E2	200	10	5	85	10	<input type="checkbox"/>	Due to lack of slope stream experiences low flow.
1XS1A1	268	0	0	0	1.01	E2	200	3	10	85	5	<input type="checkbox"/>	
1XS1A-1	480	0	0	0	1.00	E2	200	4.5	15	75	10	<input type="checkbox"/>	
1XS1A2	243	0	0	0	1.06	E2	200	3	10	85	5	<input type="checkbox"/>	
1XS1A3	266	0	0	0	1.01	E2	200	7	5	70	25	<input type="checkbox"/>	
1XS2	178	0	0	0	1.00	E2	200	3.7	10	90	0	<input type="checkbox"/>	
Total	4,428	0	0	0									
					4,428								
2NS3	0	0	320	0	1.02	P2	200	18	5	90	5	<input type="checkbox"/>	
2NS3-1	0	0	1,062	0	1.00	P2	135	13	15	70	15	<input type="checkbox"/>	
2NS3A	102	0	0	0	1.00	E2	200	2.4	5	90	5	<input type="checkbox"/>	
2PS3-2	0	0	275	0	1.00	P2	200	5.8	35	45	20	<input type="checkbox"/>	
2PS3B	74	0	0	0	1.08	E2	200	3.5	15	75	10	<input type="checkbox"/>	
2PS3C-1	137	0	0	0	1.09	E2	200	4.5	10	80	10	<input type="checkbox"/>	
2PS3D	247	0	0	0	1.06	E2	200	3.5	5	90	5	<input type="checkbox"/>	Stream contains high iron content evident by orange/red staining.
Total	560	0	1,657	0									
					2,217								
Total	4,988	0	1,657	0									
					6,645								